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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,395	01/06/2004	Sung-Chul Yang	678-1316 (P11493)	3577
28249	7590	09/25/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			PEYTON, TAMMARA R	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/752,395

Applicant(s)

YANG, SUNG-CHUL

Examiner

Tammara R. Peyton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-16 rejected under 35 U.S.C. 102(e) as being antipated by Vesikivi et al., (US 6,978,118).

As per claims 1-16, Vesikivi teaches an apparatus for managing an address book in a portable wireless terminal, the apparatus comprising:
a radio frequency identification (RFID) recognition section for receiving information transmitted from an RFID chip after transmission of an electric wave, storing and reading received information, and converting read information into data suitable for an

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address book (Fig. 8, col. 9, lines 3-col. 10, lines 1-33) ; a display section for displaying data for management of the address book; a user command input section for inputting a command for an address book management by a user; an address book storage section for storing information; and a control section for controlling an operation of the RFID recognition section, so as to transmit the converted data to the address book storage section according to a user command, thereby storing the data. (Vesikivi, cols. 2-10)

Vesikivi teaches a system including a portable wireless terminal that receives and transmits information including information for updating an address book located on the portable wireless terminal using RFID. Vesikivi specifically teaches wherein a RFID business card can communicate with the portable wireless terminal in order to update an address book, e-mail, or calendar information on the portable wireless terminal. Vesikivi also teaches wherein the user is given the opportunity to selectively store the updated data or disregard the information received from the business card.

Response to Applicant's Arguments

Applicant argues that Vesikivi does not teach "storing and reading received information, and converting read information into data suitable for an address book".

Examiner disagrees with Applicant. Vesikivi does not expressly use the word "converting" however Vesikivi does disclose:

The RFID transponders are passive or active and capable of transmitting data signals to the RFID reader in the personal communication device or to RFID reader being connected to the personal communication device. *The RFID transponders on the data carrier will transmit data signals wirelessly to the RFID reader in the personal communication device where the RFID reader decodes the data signals. After decoding, the central processor of the personal communication device uses at least a portion of the data received from the data carrier to execute a communication connection with another device or data network.....* The user scans the business card using the RFID reader in the personal communication device. *The data is decoded and processed by the personal communication device. The personal communication device then uses the data to display options to the user related to the third party data received by the data carrier.* For example, the options as viewed by the user may include, "would you like to call the third party?"; "would you like to connect to the third party website?"; or "would you like to send an e-mail to the third party?" Once the user make a selection, the personal communication device will establish a communication connection to another device using at least part of the data received from the data carrier. At least a portion of the data transmitted by the data carrier is related to the owner of the RFID business card. Additionally, the RFID reader in the personal communication device may include software to establish communication with other device applications such as SMS, WAP browser, address book, phone book, e-mail, calender and map applications. (col.3)

Examiner is taking the position that Vesikivi does not just read the data, as argued by Applicant, Vesikivi specifically teaches using the data read via the RFID reader to further decode the data read and using to data to execute a communication application and/or further use the decoded data to update an address book, e-mail, or calendar information on the portable wireless terminal. At least one part of the data read is an identification data that is decoded and further stored in the memory location and also used to execute a communication application and/or further update an address book . The RFID reader (24) includes decoder logic and the basic definition of a decoder from Microsoft Press: Computer Dictionary (its well known and utilized in the art) is:

Decoder: A device or program routine that converts coded data back to its original form. This can mean changing unreadable or encrypted codes into readable text or changing one code to another, although the latter type of decoding is usually referred to as conversion. (pg.137)

Applicant further argues "As described by the Claims, the present invention provides an apparatus and a method to read received information and thereafter convert the 'read information into converted information, which is, for example, suitable for an address book of a portable terminal. This process is illustrated with reference to Tables 1 and 2 of the present application, which respectively illustrate data formats for read data and converted data. Accordingly, converted data is transmitted from an RFID (Radio Frequency Identification) card to the portable terminal. The conversion process is further described with reference to the paragraph beginning at the top of Page 10 of the present application. Nowhere in the language of claim 1 is the conversion process defined in such a way to completely distinguish what is mean by "converting" the received data. Further, Vesikivi teaches the portable terminal having an antenna for transmission/reception of data with the decoder logic therefore would be inherent that Vesikivi also teach the code in order to implement RFID data communication. Examiner is taking the position that the decoder logic of Vesikivi does perform some type of conversion/decoding of the data once it is read by the RFID and that data is used to update an address book, e-mail, or calendar information on the portable wireless terminal.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

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Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300

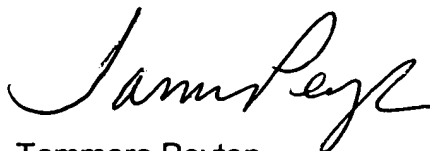
Hand-delivered responses should be brought to:

USTPO, Randolph Building, Customer Service Window

401 Dulany Street

Alexandria, VA 22314.

TAMMARA PEYTON
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Tammara Peyton', written in a cursive style.

Tammara Peyton

September 16, 2006